

JOHN J. HAYES, JR.
12849 Jesse Smith Road
Mt. Airy, Maryland 21771

Plaintiff

VS

RUTH E. FISCHER,
Personal Representative
Under the Will of

HERMAN FISCHER

Defendant

IN THE CIRCUIT COURT FOR
FREDERICK COUNTY,
MARYLAND

CIVIL NO. 3748 E

* * * * *

AMENDMENT TO COMPLAINT
TO FORECLOSE THE EQUITY OF REDEMPTION

John J. Hayes, Jr., Plaintiff, by Robert J. Kresslein and STERN & KRESSLEIN, P.A., his attorney's, sues Ruth E. Fischer, Personal Representative under the Will of Herman Fischer, Maryland National Bank, Successor in Interest to Western Maryland Trust Company, Farmers and Mechanics National Bank of Frederick, Martha Ann Brittain, Frederick County Treasurer, and any and all persons having or claiming to have, an interest in the real estate which is the subject of this complaint, and states as follows:

1) That on or about November 9, 1987, John J. Hayes, Jr. Plaintiff, did file a complaint to Foreclose the Equity of Redemption against the above mentioned defendants, but at which time the Plaintiff was unaware of the fact that the Defendant, Herman Fischer, named therein, had departed this life on January 15, 1970, and that Ruth E. Fischer, the defendant named in this Amended Complaint, was named as Personal Representative for the estate, Estate Number 9,625 filed among the records of the Orphan's Court for Frederick County, Maryland. That this Amendment is being made adding a party defendant, Ruth E. Fischer, Personal Representative of the Estate of Herman Fischer, correcting a misjoinder or nonjoinder of a party, and that the original Plaintiff and more than one of the original Defendant's remain as parties to the action.

2) That this amendment is permitted in accordance with Maryland Rules 2-213 and 2-341C5.

3) That the Plaintiff hereby incorporate each and every allegation of the original complaint in this Amended Complaint as if fully set forth therein, including any exhibits that may have been attached to the original complaint.

FILED 3 24 1988